

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Federal-State Joint Board on)	
Universal Service)	CC Docket No. 96-45
)	
United States Cellular Corporation)	
)	
Amended Petition for Designation as an)	
Eligible Telecommunications Carrier in)	
Additional Areas in the State of Tennessee)	

**Amended Petition for Designation as an Eligible Telecommunications Carrier
in Additional Areas in the State of Tennessee**

United States Cellular Corporation, on behalf of its subsidiary licensees,
Tennessee RSA No. 3 Limited Partnership, United States Cellular Telephone Company
(Greater Knoxville), L.P., and United States Cellular Operating Company of Knoxville
d/b/a U.S. Cellular (“U.S. Cellular” or “Petitioner”), by its counsel, and pursuant to
Section 214(e)(2) of the Communications Act of 1934, as amended (the “Act”),¹ and
Section 54.201 of the FCC’s rules,² hereby submits this Amended Petition for designation
as an Eligible Telecommunications Carrier (“ETC”) in portions of the Citizens
Communications Company Tennessee d/b/a Frontier Communications of Tennessee,
LLC and Twin Lakes Telephone Cooperative Corp. study areas in the State of Tennessee
– study areas in which the Commission previously denied ETC designation to U.S.
Cellular due to creamskimming concerns. U.S. Cellular requests that it be designated as

¹ 47 U.S.C. § 214(e)(2).

² 47 C.F.R. § 54.201.

an ETC, as specified, in these study areas so that it is eligible to receive all available support from the federal Universal Service Fund including, but not limited to, support for rural, insular and high-cost areas and low-income customers.

I. BACKGROUND

In the *Cap Order*, the Commission denied U.S. Cellular ETC status in the Citizens Communications Company Tennessee d/b/a Frontier Communications of Tennessee, LLC and Twin Lakes Telephone Cooperative Corp. study areas stating that designating U.S. Cellular as an ETC in these areas “would not be in the public interest.”³ In the *Cap Order Erratum*, the Commission reversed its decision to deny ETC status in the CenturyTel of Claiborne, Inc. study area and added several other rural wire centers for inclusion in U.S. Cellular’s ETC service area in Tennessee.⁴

U.S. Cellular hereby files this Amended Petition to address any creamskimming concerns that the Commission may have had with regard to two of the three study areas in the State of Tennessee – Citizens Communications Company TN d/b/a Frontier Communications of Tennessee, LLC (“Frontier”) and Twin Lakes Telephone Cooperative Corp. – in which U.S. Cellular’s request for ETC status was denied. U.S. Cellular is also providing the Commission with population density data for each study

³ See *In the Matter of High-Cost Universal Service Support, Federal-State Joint Board On Universal Service*, Order, WC Docket No. 05-337, CC Docket No. 96-45, FCC 08-122 (rel. May 1, 2008), Appendix B, ¶ 21 (“*Cap Order*”).

⁴ See *In the Matter of High-Cost Universal Service Support, Federal-State Joint Board On Universal Service*, Erratum, WC Docket No. 05-337, CC Docket No. 96-45, DA 08-1386 (rel. June 10, 2008), ¶¶ 5,9 (“*Cap Order Erratum*”). In the *Cap Order Erratum*, the Commission also added Tennessee Telephone Co. to the list of study areas for which the Commission denied ETC designation, noting that “...U.S. Cellular did not provide sufficient data for us to perform a creamskimming analysis with respect to Tennessee Telephone Co.” *Cap Order Erratum*, ¶ 5. In this Amended Petition, U.S. Cellular is not seeking ETC designation in the Tennessee Telephone Co. study area.

area to support its Amended Petition and alleviate any of the Commission's prior creamskimming concerns.

U.S. Cellular incorporates, by reference, the information contained in its prior pleadings seeking designation as an ETC in the State of Tennessee, including prior showings that U.S. Cellular provides all of the "supported services" necessary to be designated an ETC, will advertise the availability of these supported services, and that designation of U.S. Cellular as an ETC serves the public interest.⁵ Because U.S. Cellular is only deleting (as opposed to adding) wire centers from its prior Petitions to satisfy the Commission's creamskimming concerns and because the Commission has already found in the context of U.S. Cellular's prior Petitions that the company meets all of the requirements to be an ETC, U.S. Cellular has chosen not to reiterate all of these same showings in this Amended Petition.⁶ However, U.S. Cellular provides a sworn Declaration from an executive with U.S. Cellular declaring, among other things, that U.S. Cellular is licensed to serve the area for which it seeks ETC designation and meets all of the criteria for ETC designation.⁷

⁵ See Petition for Designation as an Eligible Telecommunications Carrier in the State of Tennessee (filed June 23, 2005); Amended Petition for Designation as an Eligible Telecommunications Carrier in Additional Areas in the State of Tennessee (filed Sept. 7, 2007); Supplement to Amended Petition for Designation as an Eligible Telecommunications Carrier in Additional Areas in the State of Tennessee (filed Nov. 6, 2007) (collectively, "Petitions").

⁶ Should the Commission find this reiteration necessary, U.S. Cellular is willing to supplement its Amended Petition accordingly.

⁷ See Exhibit A.

II. THE DELETION OF CERTAIN WIRE CENTERS FROM U.S. CELLULAR'S PROPOSED ETC DESIGNATED AREA SHOULD ALLEVIATE ANY OF THE FCC'S PRIOR CREAMSKIMMING CONCERNS

As part of this Amended Petition, U.S. Cellular has deleted three wire centers from its proposed ETC designated area.⁸ The elimination of these three wire centers should alleviate any of the FCC's prior creamskimming concerns.⁹

A. U.S. Cellular Proposes Deletion of the Cookeville Wire Center in the Citizens Communications Company TN d/b/a Frontier Communications of Tennessee, LLC Service Area

U.S. Cellular is no longer seeking ETC status in the Cookeville (CKVLTNXA) wire center. As a result, the average population density of the Frontier wire centers within U.S. Cellular's proposed ETC service area is 76.50 persons per square mile ("psm"). The population density for the wire centers outside of U.S. Cellular's proposed ETC service area is 124.79 psm. Accordingly, there is no risk of creamskimming in the Frontier study area.

B. U.S. Cellular Proposes Deletion of the Cookeville South Wire Center in the Twin Lakes Telephone Cooperative Corp Service Area

U.S. Cellular is no longer seeking ETC status in the Cookeville South (CKVLTNXXB) wire center. As a result, the average population density of the Twin Lakes' wire centers U.S. Cellular now proposes to cover is approximately 36.98 psm,

⁸ Attached as Exhibit B is a revised map that demonstrates U.S. Cellular proposed amended ETC designated area in Tennessee. As discussed *infra*, Exhibit B excludes the Cookeville wire center (CKVLTNXA) served by Frontier, the Cookeville South (CKVLTNXXB) wire center served by the Twin Lakes Telephone Cooperative Corp. Although U.S. Cellular is not seeking ETC designation in the Tennessee Telephone Co. study area, Exhibit B also excludes the Halls Cross Roads wire center (HCRDTNXA) served by the Tennessee Telephone Co. Attached as Exhibit C is a revised list of rural wire centers for which U.S. Cellular seeks immediate ETC designation.

⁹ Attached as Exhibit D is a population density study comparing the population densities of those wire centers in each RLEC service area within U.S. Cellular's proposed amended ETC designated area to those wire centers outside of U.S. Cellular's proposed amended ETC designated area.

while the population density of the wire centers outside of U.S. Cellular's proposed ETC service area is 92.84 psm. Accordingly, there is no longer any risk of creamskimming in the Twin Lakes study area.

C. U.S. Cellular Proposes Deletion of the Halls Cross Roads Wire Center in the Tennessee Telephone Co. Service Area

U.S. Cellular is no longer seeking ETC status in the Halls Cross Roads (HCRDTNXA) wire center and is no longer seeking ETC designation in any Tennessee Telephone Co. wire center, thereby eliminating any risk of creamskimming in the Tennessee Telephone Co. study area.

III. U.S. CELLULAR COMMITS TO FULFILL ANNUAL ETC REPORTING OBLIGATIONS

Already being an ETC in Tennessee and in other states, U.S. Cellular is well acquainted with the annual reporting obligations applicable to wireless ETCs. The Commission's rules require a series of reporting items to be included in an annual ETC report to the Commission due October 1.¹⁰ U.S. Cellular is committed to fulfilling its ETC obligations and reporting requirements throughout the expanded ETC service area for which it seeks ETC designation. The specific commitments are set forth below.

A. Number of Unfulfilled Requests for Service

In its annual ETC report, U.S. Cellular will inform the Commission of the number of requests for service from potential customers, including those within its proposed expanded ETC service area, that were unfulfilled during the past year, and it will provide a written explanation detailing the steps it went through in attempting to provide service to those potential customers, as set forth in 47 C.F.R. § 54.202(a)(1)(i).

¹⁰ 47 C.F.R. § 54.209.

B. Number of Complaints Per 1,000 Handsets

U.S. Cellular will provide the Commission with the number of consumer complaints it has received per 1,000 handsets, including those within its proposed expanded ETC service area, over the past year.

C. Information on Outages

U.S. Cellular will provide the Commission with detailed information on any outage of at least 30 minutes in duration on the facilities it own, operates, leases, or otherwise utilizes that potentially affect (a) at least ten percent of the end users served in a designated service area; or (b) a 911 special facility, as defined in 47 C.F.R. § 4.5(e), as required by 47 C.F.R. § 54.209(a)(2).

D. CTIA' Consumer Code for Wireless Services

U.S. Cellular commits to abide by the CTIA Consumer Code for Wireless Service, as it may be amended from time to time, for all of its operations in Tennessee. As required in the Commission's Rules, U.S. Cellular will include in its annual ETC report a certification to its continued compliance with the CTIA Code. 47 C.F.R. § 54.209(a)(5). U.S. Cellular will also continue to certify to its compliance with applicable service quality and consumer protection standards.

E. Emergency Functionality

The Commission's rules require an ETC applicant to:

demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations.¹¹

¹¹ 47 C.F.R. § 54.209(a)(6).

U.S. Cellular is mindful of the importance of ensuring uninterrupted service so that law enforcement and public safety officials, as well as the general public, can make important calls in the event of a hurricane or other emergency. In accordance with the FCC's rules, U.S. Cellular will certify annually to the Commission that it is able to function in emergency situations as set forth in 47 C.F.R. § 54.202(a)(2).

F. Equal Access

U.S. Cellular will certify to the Commission that it acknowledges the FCC may require U.S. Cellular to provide customers with equal access to long distance carriers in the event no other ETC is providing equal access within its ETC service area.¹²

G. Amount of Support Received

U.S. Cellular will report the total amount of all federal high-cost support received in the previous calendar year and through June 30 for the reporting year.

H. Use of Support and 5-Year Construction Plan

U.S. Cellular reiterates its commitment to use its high-cost support to make network improvements it would not be able to undertake in the absence of high-cost support. This will involve the use of high-cost support to invest in cell site construction, switch upgrades, and other network improvements throughout its ETC service area in Tennessee, including the proposed expanded ETC service area that is the subject of this Amended Petition.

U.S. Cellular has already made significant inroads in improving the reach and quality of its wireless service in its current ETC service areas, and it has provided each state commission with detailed information annually regarding its investments made with

¹² 47 C.F.R. § 54.209(a)(8).

high-cost support. In accordance with FCC rules, U.S. Cellular will provide in its annual ETC reports, for the previous two calendar years, a detailed schedule/exhibit showing the actual dollar amounts expended by U.S. Cellular in the provision, maintenance, upgrading, plant additions and associated infrastructure costs for its wireless service within its entire Tennessee ETC service area, including the proposed expanded ETC service area that is the subject of this Amended Petition. It will also include information regarding any network improvement targets that have not been fulfilled. If service improvements in a particular wire center are not needed, U.S. Cellular will provide an explanation of why improvement is not needed and how funding will otherwise be used to further the provision of supported services in that area.¹³

I. Documentation of Advertising and Outreach

U.S. Cellular will provide documentation that it offers and advertises the rate and availability of its services, as well as its Lifeline and Link-Up programs, throughout its Tennessee ETC service area, including the proposed expanded ETC service area that is the subject of the Amended Petition. It will include copies of written material used in newspaper advertisements, press releases, posters, flyers and outreach efforts and a log of when and where these materials were distributed.

J. Local Usage

U.S. Cellular will provide documentation that it is offering a local usage plan comparable to that offered by the incumbent LEC in the relevant service areas.¹⁴

¹³ A copy of U.S. Cellular's Five-Year Plan was included as Exhibit E to U.S. Cellular's Amended Petition for Designation as Eligible Telecommunications Carrier in Additional Areas in the State of Tennessee (filed Sept. 7, 2007) and is herein incorporated by reference.

¹⁴ 47 C.F.R. § 54.209(a)(7).

K. Service Area Map

U.S. Cellular will provide the Commission with a map of its Tennessee ETC area showing the locations of all cellular towers and the coverage area of those towers. As required by FCC rules, U.S. Cellular will file such a map with its annual report.¹⁵

L. Support Expenditures for Current Year

U.S. Cellular will provide, for the time period through June 30 of the reporting year in question, a detailed schedule/exhibit showing the actual dollar amounts expended by U.S. Cellular in the provision, maintenance, upgrading, plant additions and associated infrastructure costs for its wireless service within its Tennessee ETC service area, including the proposed expanded ETC service area that is the subject of the Amended Petition. This will include U.S. Cellular's build-out plans and budgets for projects, upgrades or installations planned but not yet completed during the current calendar year applicable to its wireless service.

IV. TWO RURAL TELEPHONE COMPANY WIRE CENTERS FOR WHICH ETC DESIGNATION IS BEING SOUGHT ARE ONLY PARTIALLY WITHIN U.S. CELLULAR'S FCC-LICENSED SERVICE AREA

The Baxter and Highland (Twin Lakes Telephone Cooperative Corp.) rural telephone company wire centers for which ETC designation is being sought by U.S. Cellular in this Amended Petition are only partially within U.S. Cellular's FCC-licensed service area. U.S. Cellular commits to service customers in the small portions of the Baxter and Highland wire centers beyond its licensed service area through roaming or resale of another carrier's service. With this commitment, U.S. Cellular's obligation as

¹⁵ 47 C.F.R. § 54.209(a)(1).

an ETC to provide service upon reasonable consumer request will extend to all portions of the Baxter and Highland wire centers.

V. THE TENNESSEE PUBLIC SERVICE COMMISSION HAS PROVIDED AN AFFIRMATIVE STATEMENT THAT IT DOES NOT REGULATE CMRS CARRIERS

Section 254(e) of the Act, 47 U.S.C. § 254(e), provides that “only an eligible telecommunications carrier designated under section 214(e) shall be eligible to receive specific federal universal service support.” 47 U.S.C. § 214(e). Pursuant to 47 U.S.C. § 214(e)(6), the Commission may, upon request, designate as an ETC “a common carrier providing telephone exchange service and exchange access that is not subject to the jurisdiction of a State Commission.”

In the *Section 214(e)(6) Public Notice*, the Commission established that a carrier must demonstrate it “is not subject to the jurisdiction of a state commission.”¹⁶ In its *Twelfth Report and Order* in this docket, the Commission stated that where a carrier provides the Commission with an “affirmative statement” from the state commission or a court of competent jurisdiction that the state lacks jurisdiction to perform the designation, the Commission would consider requests filed pursuant to Section 214(e)(6).¹⁷

On April 11, 2003, the TRA issued an Order dismissing the petition of Advantage Cellular Systems, Inc. for Designation as an Eligible Telecommunications Carrier for lack of subject matter jurisdiction. In this case, the TRA made an affirmative ruling that it does not have jurisdiction to designate CMRS carriers as ETCs for purposes of

¹⁶ *Procedures for FCC Designation of Eligible Telecommunications Carriers Pursuant to Section 214(e)(6) of the Communications Act*, Public Notice, 12 FCC Rcd. 22947, 29948 (1997) (“*Section 214(e)(6) Public Notice*”).

¹⁷ *Federal-State Joint Board on Universal Service; Promoting Deployment and Subscribership in Unserved and Underserved Areas, Including Tribal and Insular Areas*, Twelfth Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd. 12208, 12264 (2000).

receiving federal universal service support. Specifically, the TRA held: “the FCC is the appropriate forum for Advantage to pursue ETC status pursuant to 47 U.S.C. § 214(e)(6).”¹⁸

The TRA has clearly indicated it does not intend to designate CMRS carriers as ETCs. Accordingly, U.S. Cellular requests ETC designation as “a common carrier providing telephone exchange service and exchange access that is not subject to the jurisdiction of a State commission.” 47 U.S.C. § 214(e)(6).

VI. HIGH-COST CERTIFICATION

Under Sections 54.313 and 54.314 of the FCC’s rules, carriers wishing to obtain high-cost support must either be certified by the appropriate state commission or, where the state commission does not exercise jurisdiction, self-certify with the FCC and the Universal Service Administrative Corporation (“USAC”) their compliance with Section 254(e) of the Telecommunications Act of 1996.¹⁹ U.S. Cellular attaches its high-cost certification letter as Exhibit F hereto. U.S. Cellular respectfully requests that the FCC issue a finding that U.S. Cellular has met the high-cost certification requirement and that U.S. Cellular is, therefore, entitled to begin receiving high-cost support as of the date it receives its grant of ETC status, as set forth in this Amended Petition, so that funding will not be delayed.²⁰

¹⁸ *Order In Re: Application of Advantage Cellular Systems Cellular, Inc. To Be Designated As An Eligible Telecommunications Carrier*, Docket No. 02-01245 (Apr. 11, 2003). A copy of the Order is attached as Exhibit E.

¹⁹ 47 C.F.R. §§ 54.313, 54.314.

²⁰ See e.g., *Centennial Cellular Tri-State Operating Partnership, Centennial Claiborne Cellular Corp., Petition for Waiver of Section 54.313(d) of the Commission’s Rules and Regulations*, 19 FCC Rcd. 15587 (2004); *Grande Communications, Inc., Petition for Waiver of Sections 54.307 and 54.314 of the Commission’s Rules and Regulations*, 19 FCC Rcd. 15580 (2004).

VII. ANTI-DRUG ABUSE CERTIFICATION

U.S. Cellular certifies that no party to this petition is subject to a denial of federal benefits, including FCC benefits, pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862. *See* Exhibit G hereto.

VIII. CONCLUSION

WHEREFORE, pursuant to Section 214(e)(2) of the Act and Section 54.201 of the FCC's rules, U.S. Cellular respectfully requests that the FCC enter an Order designating U.S. Cellular as an ETC in the two study areas in Tennessee for which ETC designation is sought and in which U.S. Cellular's prior petition for ETC designation was denied – Citizens Communications Company TN d/b/a Frontier Communications of Tennessee, LLC ("Frontier") and Twin Lakes Telephone Cooperative Corp. U.S. Cellular certifies to the FCC that it will use the support it receives from these study area for its intended purpose.

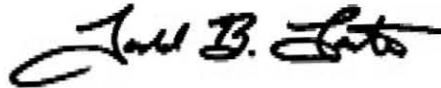
Respectfully submitted,

UNITED STATES CELLULAR CORPORATION,
on behalf of its subsidiary licensees:

TENNESSEE RSA NO. 3 LIMITED
PARTNERSHIP

UNITED STATES CELLULAR TELEPHONE
COMPANY (GREATER KNOXVILLE), L.P.

UNITED STATES CELLULAR OPERATING
COMPANY OF KNOXVILLE



By: _____

David A. LaFuria, Esq.

Todd B. Lantor, Esq.

**Lukas, Nace, Gutierrez & Sachs,
Chartered**

1650 Tysons Blvd., Suite 1500

McLean, VA 22102

Phone: (703) 584-8671

Fax: (703) 584-8694

Dated: August 6, 2008

EXHIBIT A

**U.S. CELLULAR DECLARATION REGARDING LICENSE TO SERVE AREA
IN WHICH ETC DESIGNATION IS REQUESTED AND PROVIDE ALL
REQUIRED SUPPORTED SERVICES AND FUNCTIONALITIES**

DECLARATION UNDER PENALTY OF PERJURY

I, John C. Gockley, do hereby declare, under penalty of perjury, as follows:

1. I am the Vice President – Legal and Regulatory Affairs of Tennessee RSA No. 3 Limited Partnership, United States Cellular Telephone Company (Greater Knoxville), L.P. and United States Cellular Operating Company of Knoxville d/b/a U.S. Cellular (collectively, “U.S. Cellular”).

2. This Affidavit is submitted in support of U.S. Cellular’s Amended Petition for Designation as an Eligible Telecommunications Carrier (“ETC”).

3. U.S. Cellular currently provides cellular service in the Tennessee 3 Rural Service Area (“RSA”) – Macon, Tennessee RSA 7 – Bledsoe, and the Knoxville, Tennessee, MSA.

4. As a carrier not subject to state commission jurisdiction in the State of Tennessee, U.S. Cellular is seeking designation as an ETC under Section 214(e)(6) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(e)(6).

5. U.S. Cellular meets the criteria for ETC designation as explained herein.

6. U.S. Cellular is a “common carrier” for purposes of obtaining ETC designation pursuant to 47 U.S.C. § 214(e)(1). A “common carrier” is generally defined in 47 U.S.C. § 153(10) as a person engaged as a common carrier on a for-hire basis in interstate communications by wire or radio. Section 20.9(a)(7) of the Commission’s rules provides that cellular service is a common carrier service. *See* 47 C.F.R. § 20.9(a)(7).

7. U.S. Cellular currently offers and is able to provide, within its designated service areas, the services and functionalities identified in 47 C.F.R. § 54.101(a). Each of these services and functionalities is discussed more fully below.

- a. Voice Grade access to the public switched telephone network. The FCC concluded that voice-grade access means the ability to make and receive phone calls, within a bandwidth of approximately 2700 Hz within the 300 to 3000 Hz frequency range. *See Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, First Report and Order, 12 FCC Rcd. 8776, 8810-11 (1997) (“*Universal Service Order*”). U.S. Cellular meets this requirement by providing voice-grade access to the public switched telephone network. Through its interconnection arrangements with local telephone companies, all customers of U.S. Cellular are able to make and receive calls on the public switched telephone network within the specified bandwidth.

- b. Local Usage. Beyond providing access to the public switched network, an ETC must include local usage as part of a universal service offering. To date, the FCC has not quantified a minimum amount of local usage required to be included in a universal service offering, but has initiated a separate proceeding to address this issue. *See Federal-State Joint Board on Universal Service*, Memorandum Opinion and Order and Further Notice of Proposed Rulemaking, 13 FCC Rcd. 21252 (1998) (“*October 1998 NPRM*”). As it relates to local usage, the NPRM sought comments on a definition of the public service package that must be offered by all ETCs. Specifically, the FCC sought comments on how much, *if any*, local usage should be required to be provided to customers as part of a universal service offering. *October 1998 NPRM*, 13 FCC Rcd. At 21277-21281. In the *Universal Service Order*, the FCC deferred a determination on the amount of local usage that a carrier would be required to provide. *Universal Service Order*, 12 FCC Rcd. At 8813. Any minimum local usage requirement established by the FCC as a result of the *October 1998 NPRM* will be applicable to all designated ETCs, not simply wireless service providers. U.S. Cellular will comply with any and all minimum local usage requirements adopted by the FCC. U.S. Cellular will meet the local usage requirements by including local usage as part of a universal service offering.
- c. Dual-tone, multi-frequency (“DTMF”) signaling, or its functional equivalent. DTMF is a method of signaling that facilitates the transportation of call set-up and call detail information. Consistent with the principles of competitive and technological neutrality, the FCC permits carriers to provide signaling that is functionally equivalent to DTMF in satisfaction of this service requirement. 47 C.F.R. § 54.101(a)(3). U.S. Cellular currently uses out-of-band digital signaling and in-band multi-frequency (“MF”) signaling that is functionally equivalent to DTMF signaling. U.S. Cellular, therefore, meets the requirement to provide DTMF signaling or its functional equivalent.
- d. Single-party service or its functional equivalent. “Single-party service” means that only one party will be served by a subscriber loop or access line in contrast to a multi-party line. *Universal Service Order*, 12 FCC Rcd. At 8810. The FCC concluded that a wireless provider offers the equivalent of single-party service when it offers a dedicated message path for the length of a user’s particular transmission. *Id.* U.S. Cellular meets the requirement of a single-party service by providing a dedicated message path for the length of all customer calls.
- e. Access to emergency services. The ability to reach a public emergency service provider by dialing 911 is a required service in any universal service offering. Enhanced 911 or E911, which includes the capability of providing both automatic numbering information (“ANI”) and automatic

location information (“ALI”), is only required if a public emergency service provider makes arrangements with the local provider for the delivery of such information. *See id.* at 8815-17. U.S. Cellular currently provides all of its customers with access to emergency service by dialing 911 in satisfaction of this requirement. U.S. Cellular will comply with all Phase II E911 requirements.

- f. Access to operator services. Access to operator services is defined as any automatic or live assistance provided to a consumer to arrange for the billing or completion, or both, of a telephone call. *Id.* at 8817-18. U.S. Cellular meets this requirement by providing all of its customers with access to operator services provided by either the Company or other entities (*e.g.*, LECs, IXC, etc.)
- g. Access to interexchange service. A universal service provider must offer consumers access to interexchange service to make and receive toll or interexchange calls. Equal access, however, is not required. “The FCC do[es] not include equal access to interexchange service among the services supported by universal service mechanisms.” *Id.* at 8819. U.S. Cellular presently meets this requirement by providing all of its customers with the ability to make and receive interexchange or toll calls through direct interconnection arrangements the Company has with several IXCs. Additionally, customers are able to reach their IXC of choice by dialing the appropriate access code.
- h. Access to directory assistance. The ability to place a call to directory assistance is a required service offering. *Id.* at 8821. U.S. Cellular meets this requirement by providing all of its customers with access to directory assistance by dialing “411” or “555-1212”.
- i. Toll limitation for qualifying low-income consumers. An ETC must offer either “toll control” or “toll blocking” services to qualifying Lifeline customers at no charge. The FCC no longer requires an ETC to provide both services as part of the toll limitation service required under 47 C.F.R. § 54.101(a)(9). *See Universal Service Fourth Order on Reconsideration*, FCC 97-420 (1997). In particular, all ETCs must provide toll blocking, which allows customers to block the completion of outgoing toll calls. *Universal Service Order*, 12 FCC Rcd. at 8821-22. U.S. Cellular will participate in Lifeline as required, and will provide its current toll blocking capabilities in satisfaction of the FCC’s requirement. Today, the Company provides toll-blocking services for all international calls and toll blocking for selected customers. Accordingly, U.S. Cellular currently has the technology to provide toll blocking and will use this technology to provide the service to its Lifeline customers, at no charge, as part of its universal service offerings.

8. U.S. Cellular will provide the supported services using its existing network infrastructure, which includes the same antenna, cell site, tower, trunking, mobile switching, and interconnection facilities use by the company to service its existing conventional mobile cellular service customers.

9. I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on August 6, 2008



John C. Gockley

Vice President – Legal and Regulatory Affairs

Tennessee RSA No. 3 Limited Partnership

United States Cellular Telephone Company (Greater Knoxville), L.P.

United States Cellular Operating Company of Knoxville d/b/a U.S. Cellular

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this Amended Petition for Designation as an Eligible Telecommunications Carrier in Additional Areas in the State of Tennessee was sent via U.S. Mail to the following persons on this 6th day of August 2008.

General Manager
Citizens Telecommunications Company
Of Tennessee
P.O. Box 770
300 Bland Street
Bluefield, West Virginia 24701

General Manager
Twin Lakes Telephone Cooperative Corp.
201 West Gore Avenue
Gainesboro, Tennessee 38562

General Manager
Tennessee Telephone Co.
P.O. Box 22995
Knoxville, Tennessee 37933-0995

Eddie Roberson, Chairman
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243-0505


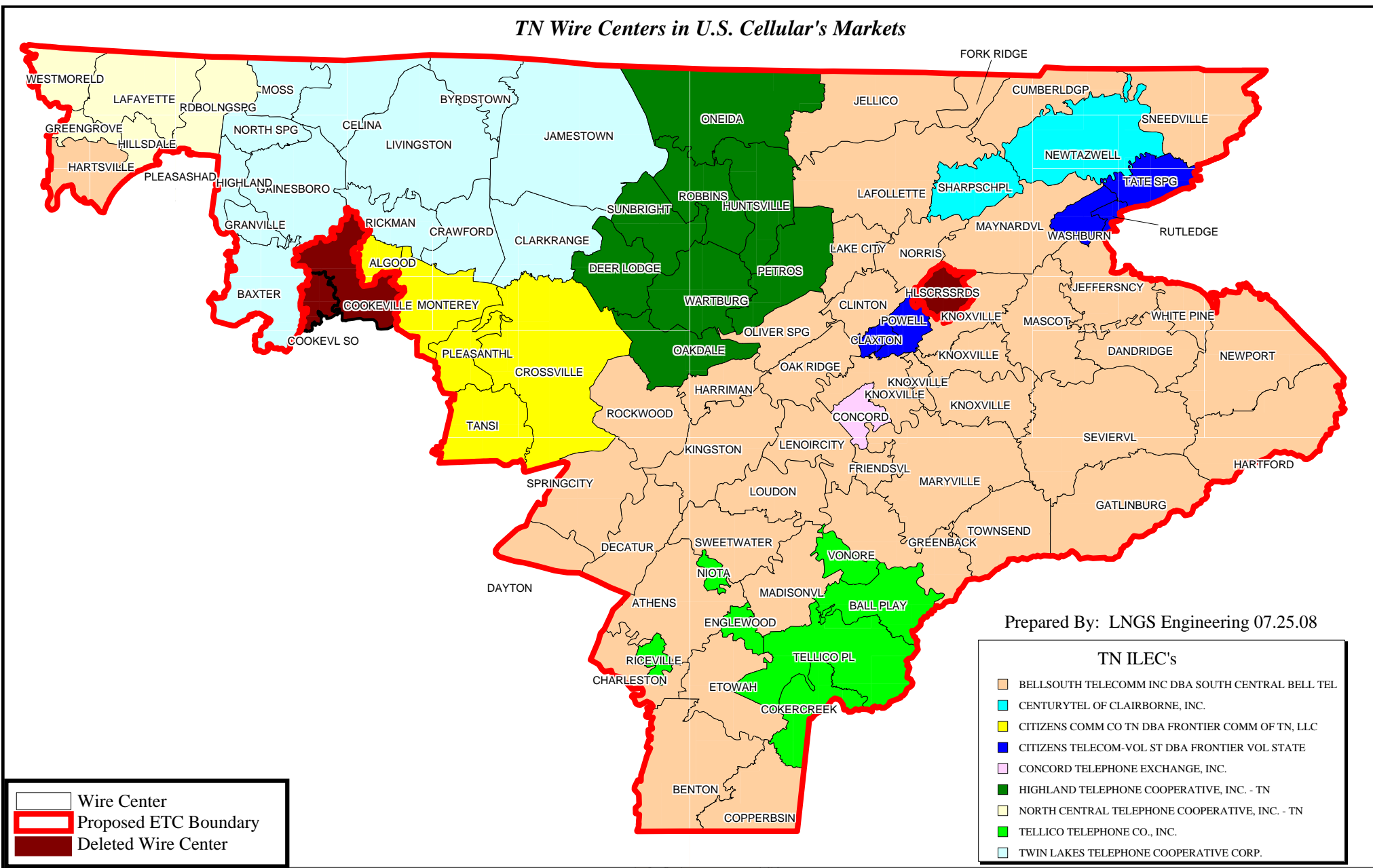

Donna Brown

EXHIBIT B

MAP OF AMENDED PROPOSED SERVICE AREA

TN Wire Centers in U.S. Cellular's Markets



Prepared By: LNGS Engineering 07.25.08

EXHIBIT C

**LIST OF RURAL WIRE CENTERS
FOR IMMEDIATE DESIGNATION**

**Rural Wire Centers
For Immediate Designation**

Company	Locality	Wire Center Code
Citizens Comm. Co. TN d/b/a Frontier Comm. Of TN, LLC	ALGOOD	ALGDTNXA
Citizens Comm. Co. TN d/b/a Frontier Comm. Of TN, LLC	CROSSVILLE	CSVLTNXA
Citizens Comm. Co. TN d/b/a Frontier Comm. Of TN, LLC	MONTEREY	MTRYTNXA
Citizens Comm. Co. TN d/b/a Frontier Comm. Of TN, LLC	PLEASANTHL	PLHLTNXA
Citizens Comm. Co. TN d/b/a Frontier Comm. Of TN, LLC	TANSI	TANSTNXA
Twin Lakes Telephone Cooperative Corp.	BAXTER	BXTRTNXA
Twin Lakes Telephone Cooperative Corp.	BYRDSTOWN	BYTWTNXA
Twin Lakes Telephone Cooperative Corp.	CELINA	CELNTNXA
Twin Lakes Telephone Cooperative Corp.	CLARKRANGE	CLRKTNXA
Twin Lakes Telephone Cooperative Corp.	CRAWFORD	CRFRTNXA
Twin Lakes Telephone Cooperative Corp.	GAINESBORO	GNBOTNXA
Twin Lakes Telephone Cooperative Corp.	GRANVILLE	GRVITNXA
Twin Lakes Telephone Cooperative Corp.	HIGHLAND	HGLDTNXA
Twin Lakes Telephone Cooperative Corp.	JAMESTOWN	JMTWTNXA
Twin Lakes Telephone Cooperative Corp.	LIVINGSTON	LVTNTNXA
Twin Lakes Telephone Cooperative Corp.	MOSS	MOSSTNXA
Twin Lakes Telephone Cooperative Corp.	NORTH SPG	NRSPTNXA
Twin Lakes Telephone Cooperative Corp.	RICKMAN	RKMNTNXA

EXHIBIT D
POPULATION DENSITY STUDY

POPULATION DENSITY STUDY

RLEC	Locality	Wire Center Code	In/Out	Area	Pops (2000) (BK)	Pop Density (BK)	Pop Density Average (by RLEC)
Citizens Comm. Co. TN d/b/a Frontier Comm. Of TN, LLC	ALGOOD	ALGDTNXA	In	32.7	6,432	196.40	
Citizens Comm. Co. TN d/b/a Frontier Comm. Of TN, LLC	COOKEVILLE	CKVLTNXA	Out	116.4	37,818	324.86	
Citizens Comm. Co. TN d/b/a Frontier Comm. Of TN, LLC	CROSSVILLE	CSVLTNXA	In	385.5	32,496	84.29	In – 76.50 (Frontier)
Citizens Comm. Co. TN d/b/a Frontier Comm. Of TN, LLC	DRESDEN	DRSDTNXA	Out	107.9	6,147	56.96	Out – 124.79 (Frontier)
Citizens Comm. Co. TN d/b/a Frontier Comm. Of TN, LLC	LATHAM	LTHMTNXA	Out	33.7	750	22.26	
Citizens Comm. Co. TN d/b/a Frontier Comm. Of TN, LLC	MARTIN	MARTTNXA	Out	93.4	14,791	158.31	
Citizens Comm. Co. TN d/b/a Frontier Comm. Of TN, LLC	MCMINNVL	MMVLTNXA	Out	11.9	12,238	1,027.78	
Citizens Comm. Co. TN d/b/a Frontier Comm. Of TN, LLC	MONTEREY	MTRYTNXA	In	132.3	5,917	44.72	
Citizens Comm. Co. TN d/b/a Frontier Comm. Of TN, LLC	PALMERSVL	PLVLTNXA	Out	80.8	1,271	15.73	
Citizens Comm. Co. TN d/b/a Frontier Comm. Of TN, LLC	PLEASANTHL	PLHLTNXA	In	66.8	3,753	56.20	
Citizens Comm. Co. TN d/b/a Frontier Comm. Of TN, LLC	SHARON	SHRNTNXA	Out	21.2	1,578	74.56	
Citizens Comm. Co. TN d/b/a	SIDONIA	SIDNTNXA	Out	31.3	898	28.68	

Frontier Comm. Of TN, LLC							
Citizens Comm. Co. TN d/b/a Frontier Comm. Of TN, LLC	SPARTA	SPRTTNXA	Out	177.2	8,595	48.49	
Citizens Comm. Co. TN d/b/a Frontier Comm. Of TN, LLC	TANSI	TANSTNXA	In	125.7	8,245	65.61	
Tennessee Telephone Co.	HLSCRSSRDS	HCRDTNXA	Out	45.6	17,767	406.73	Out – 406.73 (Tenn. Tel. Co.)
Twin Lakes Telephone Cooperative Corp.	BAXTER	BXTRTNXA	In	150.3	7,861	52.29	
Twin Lakes Telephone Cooperative Corp.	BYRDSTOWN	BYTWTNXA	In	85.1	3,880	45.58	
Twin Lakes Telephone Cooperative Corp.	CELINA	CELNTNXA	In	135.9	4,271	31.43	
Twin Lakes Telephone Cooperative Corp.	CHSTNUMOND	CHMNTNXA	Out	49.7	1,623	32.67	
Twin Lakes Telephone Cooperative Corp.	CLARKRANGE	CLRKTNXA	In	157.0	4,783	30.46	In – 36.98 (Twin Lakes)
Twin Lakes Telephone Cooperative Corp.	COOKEVILLE SO	CKVLTNXB	Out	31.7	5,934	187.28	Out – 92.84 (Twin Lakes)
Twin Lakes Telephone Cooperative Corp.	CRAWFORD	CRFRTNXA	In	104.5	2,177	20.84	
Twin Lakes Telephone Cooperative Corp.	GAINESBORO	GNBOTNXA	In	181.1	8,982	49.59	
Twin Lakes Telephone Cooperative Corp.	GRANVILLE	GRVITNXA	In	33.5	642	19.19	
Twin Lakes Telephone Cooperative Corp.	HIGHLAND	HGLDTNXA	In	44.0	660	14.99	
Twin Lakes Telephone Cooperative Corp.	JAMESTOWN	JMTWTNXA	In	413.2	12,461	30.16	

Twin Lakes Telephone Cooperative Corp.	LIVINGSTON	LVTNTNXA	In	301.0	14,102	46.85	
Twin Lakes Telephone Cooperative Corp.	MOSS	MOSSTNXA	In	70.2	2,166	30.86	
Twin Lakes Telephone Cooperative Corp.	NORTH SPG	NRSPTNXA	In	53.4	399	7.47	
Twin Lakes Telephone Cooperative Corp.	RICKMAN	RKMNTNXA	In	86.2	4,753	55.11	

EXHIBIT E

TENNESSEE REGULATORY AUTHORITY ORDER

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

April 11, 2003

IN RE:

APPLICATION OF ADVANTAGE CELLULAR
SYSTEMS, INC. TO BE DESIGNATED AS AN
ELIGIBLE TELECOMMUNICATIONS CARRIER

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DOCKET NO.
02-01245

ORDER

This matter came before Chairman Sara Kyle, Director Deborah Taylor Tate and Director Pat Miller of the Tennessee Regulatory Authority (the "Authority"), the voting panel assigned in this docket, at the regularly scheduled Authority Conference held on January 27, 2003, for consideration of the *Application of Advantage Cellular Systems, Inc. To Be Designated As An Eligible Telecommunications Carrier* ("Application") filed on November 21, 2002.

Background

Advantage Cellular Systems, Inc. ("Advantage") is a commercial mobile radio service provider ("CMRS") seeking designation as an Eligible Telecommunications Carrier ("ETC") by the Authority pursuant to 47 U.S.C. §§ 214 and 254. In its *Application*, Advantage asserts that it seeks ETC status for the entire study area of Dekalb Telephone Cooperative, Inc., a rural cooperative telephone company. Advantage maintains that it meets all the necessary requirements for ETC status and therefore is eligible to receive universal service support throughout its service area.

The January 27, 2003 Authority Conference

During the regularly scheduled Authority Conference on January 27, 2003, the panel of Directors assigned to this docket deliberated Advantage's *Application*. Of foremost consideration was the issue of the Authority's jurisdiction. The panel unanimously found that the Authority lacked

jurisdiction over Advantage for ETC designation purposes.¹

This conclusion was implicitly premised on Tenn. Code Ann. § 65-4-104, which provides that:

The Authority has general supervisory and regulatory power, jurisdiction and control over all public utilities and also over their property, property rights, facilities, and franchises, so far as may be necessary for the purpose of carrying out the provisions of this chapter.

For purposes of Tenn. Code Ann. § 65-4-104, the definition of public utilities specifically excludes, with certain exceptions not relevant to this case, “[a]ny individual, partnership, copartnership, association, corporation or joint stock company offering domestic public cellular radio telephone service authorized by the federal communications commission.”

The Authority’s lack of jurisdiction over CMRS providers implicates 47 U.S.C. § 214(e), which addresses the provision of universal service. Where common carriers seeking universal service support are not subject to a state regulatory commission’s jurisdiction, 47 U.S.C. § 214(e)(6) authorizes the Federal Communications Commission (“FCC”) to perform the ETC designation.²

¹ This finding is not inconsistent with the Authority’s decision in *In re: Universal Service Generic Contested Case*, Docket 97-00888, *Interim Order on Phase I of Universal Service*, pp. 53-57 (May 20, 1998), in which the Authority required intrastate telecommunications carriers to contribute to the intrastate Universal Service Fund including telecommunications carriers not subject to authority of the TRA. The decision in Docket No. 97-00888 was based primarily on 47 U.S.C. § 254(f) which authorizes states to adopt regulations not inconsistent with the Federal Communications Commission’s rules on Universal Service and specifically requires every telecommunications carrier that provides intrastate telecommunications services to contribute to the preservation and advancement of universal service in that state. The *Interim Order* was issued prior to the effective date of 47 U.S.C. § 214(e)(6).

² 47 U.S.C. § 214(e)(6) states:

(6) Common carriers not subject to state commission jurisdiction

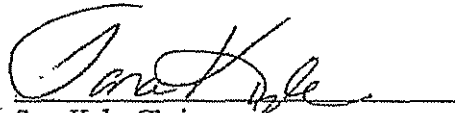
In the case of a common carrier providing telephone exchange service and exchange access that is not subject to the jurisdiction of a State commission, the Commission shall upon request designate such a common carrier that meets the requirements of paragraph (1) as an eligible telecommunications carrier for a service area designated by the Commission consistent with applicable Federal and State law. Upon request and consistent with the public interest, convenience and necessity, the Commission may, with respect to an area served by a rural telephone company, and shall, in the case of all other areas, designate more than one common carrier as an eligible telecommunications carrier for a service area designated under this paragraph, so long as each additional requesting carrier meets the requirements of paragraph (1). Before designating an additional eligible telecommunications carrier for an area served by a rural telephone company, the Commission shall find that the designation is in the public interest.

As a matter of "state-federal comity," the FCC requires that carriers seeking ETC designation "first consult with the state commission to give the state commission an opportunity to interpret state law."³ Most carriers that are not subject to a state regulatory commission's jurisdiction seeking ETC designation must provide the FCC "with an affirmative statement from a court of competent jurisdiction or the state commission that it lacks jurisdiction to perform the designation."⁴


The panel noted that the FCC is the appropriate forum for Advantage to pursue ETC status pursuant to 47 U.S.C. § 214(e)(6). This Order shall serve as the above mentioned affirmative statement required by the FCC.

IT IS THEREFORE ORDERED THAT:

The Application of Advantage Cellular Systems, Inc. To Be Designated As An Eligible Telecommunications Carrier is dismissed for lack of subject matter jurisdiction.


Sara Kyle, Chairman


Deborah Taylor Tate, Director


Pat Miller, Director

³ *In the Matter of Federal-State Joint Bd. on Universal Service*, CC Docket No. 96-45, *Twelfth Report and Order, Memorandum Opinion and Order, and Further Notice of Proposed Rulemaking*, 15 F.C.C.R. 12208, 12264, ¶ 113 (June 30, 2000).

⁴ *See id.* (The "affirmative statement of the state commission may consist of any duly authorized letter, comment, or state commission order indicating that it lacks jurisdiction to perform designations over a particular carrier.")

EXHIBIT F

HIGH-COST CERTIFICATION

August 6, 2008

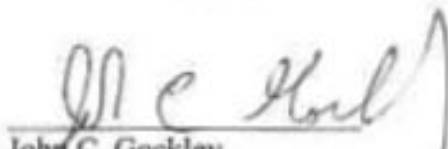
Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

**Re: Tennessee RSA No. 3 Limited Partnership
United States Cellular Telephone Company (Greater Knoxville), L.P.
United States Cellular Operating Company of Knoxville
d/b/a U.S. Cellular
High-Cost Certification**

To the Commission:

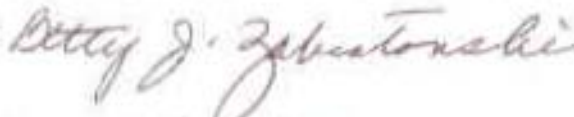
Tennessee RSA No. 3 Limited Partnership, United States Cellular Telephone Company (Greater Knoxville), L.P. and United States Cellular Operating Company of Knoxville d/b/a U.S. Cellular (collectively, "U.S. Cellular" and/or "Company") has submitted an Amended Petition for ETC designation in the State of Tennessee as required by Sections 54.313(b) and 54.314(b) of the Federal Communications Commission's rules, 47 C.F.R. §§ 54.313(b), 54.314(b). U.S. Cellular hereby submits the certification below in order to begin receiving high-cost support in its designated ETC area.

Accordingly, as Vice President - Legal and Regulatory Affairs of U.S. Cellular, I hereby certify on behalf of the Company and under penalty of perjury that all high-cost support provided to the Company will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, pursuant to Section 254(e) of the Telecommunications Act of 1996, 47 U.S.C. § 254(e). I also certify that I am authorized to make this certification on the Company's behalf.


John C. Gockley
Vice President - Legal and Regulatory Affairs

Subscribed, Sworn and Acknowledged before me this 6th day of August 2008.

NOTARY PUBLIC



My Commission Expires: 03/27/2011

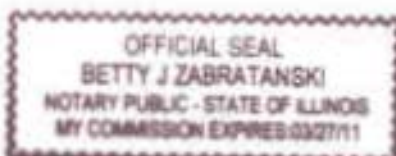


EXHIBIT G

ANTI-DRUG ABUSE CERTIFICATION

DECLARATION UNDER PENALTY OF PERJURY

I, John C. Gockley, do hereby declare, under penalty of perjury, as follows:

1. I am the Vice President – Legal and Regulatory Affairs of Tennessee RSA No. 3 Limited Partnership, United States Cellular Telephone Company (Greater Knoxville), L.P. and United States Cellular Operating Company of Knoxville d/b/a U.S. Cellular ("Petitioner").

2. To the best of my knowledge, the Petitioner referred to in the foregoing Amended Petition, including all officers, directors, or persons holding 5% or more of the outstanding stock or shares (voting and/or non-voting) of the applicant as specified in 1.2002(b) of the Commission's rules are not subject to a denial of federal benefits, including FCC benefits, pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.

3. I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on August 6, 2008.


John C. Gockley
Vice President – Legal and Regulatory Affairs
Tennessee RSA No. 3 Limited Partnership
United States Cellular Telephone Company (Greater Knoxville), L.P.
United States Cellular Operating Company of Knoxville d/b/a U.S. Cellular

Subscribed, Sworn and Acknowledged before me this 6th day of August 2008.

NOTARY PUBLIC



My Commission Expires:

03/27/2011

BETTY J. ZABRATANSKI
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES 03/27/11